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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/587,619	06/05/2000	James P. Coppola III	TRD-001XX	8863

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SHIH, SALLY

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 06/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/587,619	COPPOLA, JAMES P.
	<b>Examiner</b>	<b>Art Unit</b>
	Sally Shih	3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 05 June 2000.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) 9 and 18 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. This application has been reviewed. Original claims 1-21 are pending. The objections and rejections cited are as stated below:

### *Abstract*

2. The Abstract is not is not acceptable because it is more than 150 words. Please see MPEP § 608.01(f).

- (j) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

### *Claim Objections*

3. Claims 9 and 18 are objected to because of the following informalities: the term "client/server" is not acceptable because the use of "/" is not permitted. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Sandretto (United States Patent Number 5,812,988).

Claim 1: Sandretto discloses a method for managing portfolio risk on a computer system, comprising:

storing a plurality of parameters associated with an investment instrument on a computer-readable medium (Fig. 1, 1A and column 15, lines 23-49), the parameters including an identifier, a market price, a stop loss price, and a number of shares or contracts (Fig. 2-4);  
storing an equity value associated with a portfolio (Fig. 2-4);  
determining a point risk value, the point risk value comprising an intermediate value multiplied by the number of shares or contracts, the intermediate value comprising the market price minus the stop-loss price for a long transaction or the market price plus the stop-loss price for a short transaction (Abstract and Fig. 2-10);  
determining a number of shares or contracts associated with the point risk value for a selected size risk value, the number determined by multiplying the selected size risk value by the equity value and dividing by the point risk value (Abstract and Fig. 2-10);  
repeating the step of determining a number of shares or contracts for a plurality of selected size risk values (Fig. 2-5 and 10); and

displaying a plurality of risk scenarios corresponding to the plurality of selected size risk values, the displaying step including displaying the number of shares or contracts corresponding to each of the plurality of size risk values (Fig. 11-13 and column 15, lines 53-55).

Claims 2 and 11: Sandretto discloses the method of claim 1 and corresponding system, further comprising:

determining a market value associated with each of the plurality of risk scenarios (Abstract, Fig. 8 and column 3, lines 25-38) and displaying the market values (Fig. 8).

Claims 3 and 12: Sandretto discloses the method of claim 1 and corresponding system, further comprising:

storing the plurality of parameters associated with a plurality of investment instruments (Fig. 2-4);  
storing a total equity value for the portfolio (Fig. 2-4);  
determining for each investment instrument a risk value, the risk value comprising an intermediate value of the market price minus the stop-loss price for a long transaction or the market price plus the stop-loss price for a short transaction, the intermediate value multiplied by the number of shares or contracts associated with each investment instrument (Abstract and Fig. 2-5);

determining a sum of risk values of the plurality of investment instruments, the sum comprising a planned risk value (Abstract and Fig. 2-5);  
determining the equity value by subtracting the planned risk value from the total equity value for the portfolio (Abstract and Fig. 2-5); and  
displaying the equity value (Abstract and Fig. 2-5).

Claims 4 and 13: Sandretto discloses the method of claim 1 and corresponding system, further comprising:

determining a ratio of the planned risk value to the total equity value (Column 27, lines 38-64); and  
displaying the ratio (Column 15, lines 53-55 and column 27, lines 38-64 ).

Claims 5 and 14: Sandretto discloses the method of claim 1 and corresponding system, further comprising:

storing a user's buying power value (Fig. 2-5); and  
displaying the user's buying power value (Fig. 2-5).

Claims 6 and 15: Sandretto discloses the method of claim 5 and corresponding system, further comprising:

determining a plurality of market values, each market value associated with each of the plurality of risk scenarios (Abstract and Fig. 3-5); and

displaying a plurality of new buying power values, each new buying power value corresponding to the user's buying power minus each of the plurality of market values (Abstract and Fig. 3-5).

Claims 7 and 16: Sandretto discloses the method of claim 1 and corresponding system, further comprising:

storing a commission and a skid associated with the investment; and in the step of determining the point risk, the intermediate value comprises the market price minus the stop-loss price plus the commission plus the skid for a long transaction, or the intermediate value comprises the market price plus the stop-loss price minus the commission minus the skid for a short transaction (Abstract and Fig. 6-11).

Claims 8 and 17: Sandretto discloses the method of claim 1 and corresponding system, wherein the investment instruments includes stocks, mutual funds, options, futures, futures options, bonds, or mortgages (Abstract and Fig. 2).

Claims 9 and 18: Sandretto discloses the method of claim 1, wherein the computer system comprises a client/server computer system (Fig. 1A).

Claim 10: Sandretto discloses a system for managing investment portfolio risk on a computer system, comprising:

at least one processor (Fig. 1A and column 15, lines 25-28);

at least one memory, the memory containing a plurality of parameters associated with an investment instrument on a computer-readable medium, the parameters including an identifier, a market price, a stop-loss price, a number of shares or contracts, and an equity value associated with a portfolio (Fig. 1A, column 15, lines 28-29 ; and a utility executable by the at least one processor (Fig. 1A and column 15, lines 23-52) and operable to:

determine a point risk value, the point risk value comprising an intermediate value multiplied by the number of shares or contracts, the intermediate value comprising the market price minus the stop-loss price for a long transaction or the market price plus the stop-loss price for a short transaction (Abstract and Fig. 2-10),  
determine a number of shares or contracts associated with the point risk value for a selected size risk value, the number determined by multiplying the selected size risk value by the equity value and dividing by the point risk value (Abstract and Fig. 2-10),  
repeat the step of determining a number of shares or contracts for a plurality of selected size risk values, and display a plurality of risk scenarios corresponding to the plurality of selected size risk values, the displaying step including displaying the number of shares or contracts corresponding to each of the plurality of size risk values (Fig. 2-5 and 10).

Claims 19-21: Sandretto discloses a system, a corresponding computer program and a computer data signal embodied in a carrier wave, said computer data signal including a computer program corresponding computer program product including a computer readable medium (Column 15,

lines 25-35 and column 16, lines 1-4), said computer readable medium having a computer program stored thereon, said program comprising:

program code for storing the plurality of parameters associated with a plurality of investment instruments (Fig. 2-4);

program code for storing a total equity value for the portfolio (Fig. 2-4);

program code for determining for each investment instrument a risk value, the risk value comprising an intermediate value of the market price minus the stop-loss price for a long transaction or the market. price plus the stop-loss price for a short transaction, the intermediate value multiplied by the number of shares or contracts associated with each investment instrument (Abstract and Fig. 2-5);

program code for determining a sum of risk values of the plurality of investment instruments, the sum comprising a planned risk value (Abstract and Fig. 2-5);

program code for determining the equity value by subtracting the planned risk value from the total equity value for the portfolio(Abstract and Fig. 2-5); and

program code for displaying the equity value (Abstract and Fig. 2-5).

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 5,812,987, USPN 6,021,397, USPN 6,078,904, USPN 6,085,175, USPN 6,275,814 B1, USPN 6,292,787 B1 and JP11259559A are cited of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sally Shih whose telephone number is 703-305-8550. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7658 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

sys  
June 17, 2003



HANI M. KAZIMI  
PRIMARY EXAMINER